

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

**CALVIN R. LUCKEY and wife, PEGGY G.)
LUCKEY; THEODORE BALLARD JR.; FLOYD)
J. BOWMAN; WILLIE J. BURT, JR.; CLEMENT)
“Ray” KEENE and wife, BARBARA JO)
DEATHERAGE KEENE; SYLVIA L. JOHNSON,)
Executrix of the Estate of Clarence Luckey, Sr.,)
Deceased; JUDY HORNE MARTIN, Individually)
and as Executrix of the Estate of Ray E. Martin,)
Deceased; GENE A SHIRES and wife, HELEN)
SHIRES; JACKSON J. SMITH and wife,)
CAROLYN S. SMITH; JOHN WESLEY SMITH)
and wife, BETTY M. SMITH; ROGER)
FRANKLIN THOMAS and wife, ELLA SHINN)
THOMAS; DONNIE I. BAILEY; HAZEL S.)
BOONE, Individually and as Executrix of the)
Estate of Billy H. Boone, Deceased; RAYMOND L.)
MOORE; HAZEL B. MULLIS, Individually and as)
Executrix of the Estate of Jerry R. Mullis,)
Deceased; JIMMY W. NEAL, SR. and wife,)
DOREEN K. NEAL; JOHN A. NOBLE III and)
wife, WENDY ROBIN HASTINGS NOBLE;)
ROGER D. SMITH and wife, MARGIE P. SMITH;)
WILLIAM E. SMITH; WALTER D. THOMPSON;)
RONNER BYERS and wife, FRANCES W.)
BYERS; RICHARD ALLEN JONES and wife,)
JUDY ANN FINK JONES; TONY E. ROGERS and)
wife, PATRICIA LADONNE CRAWFORD)
ROGERS; KENNETH G. SMITH and wife,)
MARGARET SMITH; DAVID R. TURNER;)
DAVID R. WHITESIDE, SR. and wife, LINDA L.)
WHITESIDE, and DOROTHY YOUNT , as)
Administrator of the Estate of VICTOR E.)
YOUNT, deceased,)**

Plaintiffs,

v.

AC&S, INC., et al.

Defendants.

C. A. No. 3:98cv394-T

ORDER OF DISMISSAL

THIS MATTER is before the Court on the consent of the captioned Plaintiffs and Defendant, Rapid American Corporation, to dismiss without prejudice, all claims of said Plaintiffs against Defendant Rapid American.

It appearing that all parties have consented to the relief requested herein,

IT IS, THEREFORE, ORDERED, ADJUDGED, and DECREED that the claims of each of the above-named Plaintiffs against Defendant, Rapid American Corporation, are **HEREBY DISMISSED WITHOUT PREJUDICE.**

Signed: July 9, 2007

A handwritten signature in black ink, appearing to read "Lacy H. Thornburg", is written over a horizontal line.

Lacy H. Thornburg
United States District Judge



WE MOVE:

s/James D. Gandy, III

James D. Gandy, III

Pierce, Hems, Sloan & McLeod, LLC

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Charleston, SC 29413

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Attorney for Defendant

National Service Industries, Inc.

WE CONSENT:

s/ Janet Ward Black

Janet Ward Black, Esquire

NC Bar #12869

Ward Black Law, Plaintiffs' Counsel

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